

Remarks/Arguments:

Claims 1-2 and 4-18 stand rejected under 35 U.S.C. § 102(b) as anticipated by Nonaka et al. (U.S. Patent No. 6,614,732). Claim 3 stands rejected under 35 U.S.C. § 103(a) as obvious over Nonaka and Proehl et al. (U.S. Patent No. 6,118,450).

Applicants respectfully request reconsideration. In particular, Applicants' invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

...a plurality of play list files of storing a play list describing a reproduction order of the plurality of data files...

...play list file selecting means of selecting a predetermined play list file according to an instruction from the outside...

...data reproducing means of reproducing the predetermined data stored by the plurality of data files respectively by using the reproduction order based on the selected play list file.

(Emphases added). This feature is described in Applicants' specification, for example, at page 2, lines 1-5; page 14, lines 10-16; and is illustrated in FIG. 2. No new matter has been added.

Nonaka discloses a recording and playback apparatus. As shown in FIG. 1, for example, the apparatus relevantly includes a disc 100, a hard disc 20 and a display portion 24. Using the apparatus, songs recorded on disc 100 may be copied and stored on hard disc 20 along with an associated tag file (the tag file identifies properties of the songs, e.g., performer and genre). See col. 9, lines 13-21. Within the hard disc 20, the stored songs are referenced to a music list according to an attribute of the song (e.g., songs may be referenced to lists which include songs associated with specific performers, music genres, etc.). See col. 9, lines 52-56.

When a user wishes to listen to a song stored on hard disc 20, the titles of the lists may be displayed on display portion 24 (as shown in FIG. 12). The user then selects the title of a play list which includes the song and then selects the song he wishes to hear from the displayed list. "Accordingly, the desired songs can be selected relatively easily even if enormous number of music data are recorded on the hard disc 20...." See col. 10, lines 59-67.

Further, Nonaka discloses, at col. 10, lines 59-67, the following:

In this manner, the user refers to the information indicated on the display portion 24, selects the desired genre and the song included in the genre through the user's operation, and starts the reproducing operation from the hard disc 20. Accordingly, the desired songs can be selected relatively easily even if enormous number of music data are recorded on the hard disc 20 so that there can be realized the recording/reproducing apparatus which is convenient and comfortable for the user.

Please note that the above passage merely refers to information, which is indicated on the display, for selecting the desired genre and the song included in the genre through the user's operation.

In contrast to Nonaka, in the embodiment of Applicants' invention recited in claim 1, play list files which describe "a reproduction order of the plurality of data files" (e.g., songs) is recorded on a storage medium. When a user wishes to listen to a particular play list, the user may select that play list. The songs attributed to the play list are then automatically played in the reproduction order. Thus, the embodiment recited in Applicant's claim 1 is different from Nonaka in the following respects. In Nonaka, the music lists are simply lists of songs which have similar attributes. They do not describe "a reproduction order" in which the songs will be played back if the list is selected. Instead, in Nonaka, when a user selects a music list, the user must then select a song from the list that the user wishes to listen to.

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Accordingly, Nonaka does not disclose "a plurality of play list files of storing a play list describing a reproduction order of the plurality of data files" and "data reproducing means of reproducing the predetermined data stored by the plurality of data files respectively by using the reproduction order based on the selected play list file," as required by Applicants' claim 1.

It is because Applicants include the features of "a plurality of play list files of storing a play list describing a reproduction order of the plurality of data files" and "data reproducing means of reproducing the predetermined data stored by the plurality of data files respectively by using the reproduction order based on the selected play list file" that the following advantages are achieved. Namely, a user may easily select a play list from a plurality of play lists. The songs associated with the selected play list may then be automatically played back in the reproduction order.

Accordingly, for the reasons set forth above, claim 1 is patentable over the art of record.

Claims 5, 7, 8 and 10-12, while not identical to claim 1, include features similar to claim 1. Accordingly, claims 5, 7, 8 and 10-12 are also patentable over the art of record for at least the reasons set forth above.

With respect to the rejection of claim 3, Masegi et al. fails to make up for the deficiencies set forth above with respect to Nakamura. Further, claims 2-4 include all features of claim 1 from which they depend; claim 6 includes all features of claim 5 from which it depends; claim 9 includes all features of claim 8 from which it depends; claim 13 includes all features of claim 10 from which it depends; claim 14 includes all features of claim 11 from which it depends; and claim 15 includes all features of

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claim 12 from which it depends. Thus, claims 2-4, 9 and 13-15 are also patentable over the art of record for at least the reasons set forth above.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

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